

LEGISLATIVE COUNCIL,

Thursday, 25th April, 1889.

Concessions to the W.A. Timber Co., Transfer of;
Report of Select Committee—Message No. 20: Con-
stitution Bill—Adjournment.

THE SPEAKER took the Chair at seven o'clock, p.m.

PRAYERS.

TRANSFER OF W.A. TIMBER CO'S CONCESSIONS: REPORT OF SELECT COMMITTEE.

On the motion of Mr. Parker, the House resolved itself into a committee for the consideration of the report of the select committee on the proposed transfer of the W.A. Timber Co.'s concessions.

MR. PARKER: Sir Thomas Campbell, in rising to move the resolution standing in my name—"That this House recommends that a contract be entered into with Messrs. Prell and others for the construction of a line of railway from Maryvale, the present terminus of the W. A. Timber Co.'s line, to the Lower Blackwood Bridge, by way of St. John's Brook Bridge, as shown on the plan laid on the table of the House"—I think it is desirable that I should explain as far as I can the whole of the circumstances connected with these concessions and the contract with the company, so that the committee may be in a better position to arrive at a right idea of the reasons which actuated the select committee in making the recommendations contained in their report. As members are well aware, this W.A. Timber Company is a company that has been in existence for about eighteen years, the contract with the Government being dated July, 1871. Under that contract the company acquired the right to construct a railway from Lockeville inland to the timber ranges and onwards. The agreement certainly is not very clear as to the extent of railway they had a right to build,—some maintain that they were confined to a distance of 30 miles, though my own opinion is that they could go at least 45 miles; in any case, they were to get 2,000 acres of land for every mile of

railway, or, what amounted to the same thing, they were to have what were called "remission certificates" of the value of £1,000 per mile, which certificates were available in the purchase of land in any part of the colony, and any kind of land, including mineral land. They also had the right to erect mills and to construct their own jetties, and other privileges. They constructed a jetty as provided for in their agreement, and ran their railway some 10 miles into the timber ranges, and got their land; and, since then, they have further extended their railway to a distance of 17 miles from Lockeville to a place called Maryvale. The company carried on operations for many years, to the advantage of the district, though not to the advantage of the shareholders; in fact, the company lost considerably by their speculation. It might perhaps be argued, that in the interest of the promoters of this scheme, it would be better if they had nothing to do with it, as the timber business has not been found to pay. I take it that is their own business; I look at this matter simply in the interest of the Sussex district particularly, and of the colony generally. It is for these gentlemen, who are prepared to speculate in this venture, to look after their own interest. Things went on as I have said with the old company until about twelve months ago, when the company was wound up, and it is now in liquidation, in consequence of their speculation not having proved successful. The district feels the loss of the cessation of the company's operations very considerably, and, as I stated on a previous occasion, the settlers of the district, and also of the adjoining districts, sent a memorial to the Governor, asking him to assent to the transfer of the company's concessions to the gentlemen whose proposals we are now considering, who have purchased the company's plant and concessions and all their rights under the existing agreement, from the liquidator. This new syndicate consists, I believe, of men of wealth, and they have large business connections all over the world, and their object is to extend their operations and to establish a large export trade in our timber. They intend to push the business in a much more energetic way than it has been hitherto

conducted, and we all hope they may be more fortunate than their predecessors. Well, sir, the advantage of all this to the Sussex district will be obvious, and I think I may say to the colony at large; for it is obvious that the colony at large must benefit from the establishment of a large export trade in its timber. If this company can obtain large orders and large contracts for the supply of our timber for such works as the Suez canal or the railways in a country like India, or for extensive public works in Mauritius, and projects of this kind, there can be no doubt that the colony at large must derive a great deal of benefit from it. The petition that was presented from the inhabitants of the district to His Excellency went on that assumption, and they prayed His Excellency to transfer the concessions to this new company, so that the industry might be resuscitated. The Government, I may say, had been asked by the purchasing syndicate if they would agree to the transfer; and, although the Government, I think wisely, declined to give its consent without consulting the Legislature, still it is evident that the Government would be glad, if they possibly could, to get rid of the old agreement, which, as I have said, is a very ambiguous one and is apparently fraught with some risks. The Government would naturally be glad to get rid of an agreement which, to say the least, is very one-sided, and to substitute for it an agreement that would be more beneficial to the colony. After the negotiations had been entered upon, Mr. Gordon came over in the interest of the new syndicate, and we have before us the draft agreement which he submitted to the Government. This draft agreement had been in the first instance prepared by the Government, then transmitted to Melbourne to the liquidator, and subsequently altered by the purchasing syndicate or their agent; and it is now proposed that the line of railway should diverge, and, instead of Lockeville being the sea terminus, that the line should run to the Vasse, and make Busselton the sea terminus, and that the line inland should go to Bridgetown. The syndicate, I understand, are perfectly willing to go to the extra expense which certainly would be entailed upon them by running on to Busselton, in considera-

tion of their being allowed to run to Bridgetown at the other end, and thus obtain the Bridgetown trade, which would be some compensation to them for the additional expense of running this eight or nine miles to Busselton. We know that the branching off that has been suggested must entail considerable expense, and that the line would be a costly one to construct: it runs over rivers, estuaries, and swamps, and would be an expensive line that would cost three times the value of the subsidy in land that they ask for, namely, 2,000 acres per mile. This was the state of affairs when the matter was referred to a select committee. The select committee, when it came to consider the proposals, came to certain conclusions. Firstly, the committee, as a whole, deemed it inadvisable to allow the syndicate to run their line to Bridgetown, on account of the distance and the consequent large subsidy in land which it would involve. The committee also deemed it advisable to sacrifice the 8 or 9 miles of railway already constructed, and which had been paid for by the Government, and that the Government should be called upon to pay for another line running in the same direction, and going to Busselton. But as it was doubtful whether the syndicate would agree to run to Busselton unless they had the right to run to Bridgetown, the committee thought it would be more acceptable to the House generally if the original intention were carried out, and that the present line should be adhered to, and the line go from the present terminus at Maryvale to the Lower Blackwood Bridge, a distance of some 21 miles. This, it appeared to the committee, was carrying out the original intention much more nearly than the proposal to run from Busselton to Bridgetown, which would certainly place in the hands of the syndicate a very large area of land. It will be seen from their report that the committee recommend that as far as possible the terms of the proposed contract should be similar to the terms imposed in the case of Messrs. Millar's contract for a line of railway to Torbay. The time in which the committee had to bring up their report was very limited, as it was supposed at that time that the House would have been prorogued on the following day, and the committee were

unable to have gone more fully into the matter than they did in their report; and as the House had already agreed to the terms of the proposed contract with Messrs. Millar, Bros., the committee thought they could not do better than recommend the same conditions as the basis of this other contract, subject however to certain modifications, which are set forth in their report. The first of these is that instead of having a strip of land three chains in width for their line they should only have two chains. The reason of that was that the width of the present line is only two chains, and the committee saw no occasion to increase the width, as the distance inland increased from the seashore. The committee proposed that the line be divided into two sections, the first of ten miles in length and the second to comprise the remainder of the line, a distance of about eleven miles further. This is following the terms of the original agreement. Of course this report, if adopted, would only be in the shape of suggestions for the Government in preparing the contract; and the Government, we may take it, will see that the Commissioner of Railways, or some person in authority, will take care that as each section of the railway is completed only such areas as may reasonably be required for stations and timber depôts are granted to the syndicate. Then, as to compensation for any lands resumed for the purposes of the railway, the Government will see that provision is made in the contract that such compensation shall be payable by the contractors and not by the colony. The Government, of course, will have its usual power to resume so much land as it is entitled to under the Crown grants; but, for anything in excess of that quantity, the contractors will have to pay. The committee, I think, have taken care to protect the interests of the public in this matter. So far as I can see, the line will not run through any fee simple land at all, only through waste lands of the Crown, and consequently there may be no compensation whatever; but the committee thought it would be well to make it clear that in the event of any compensation being required the contractors would have to pay it. The committee also thought it should be stipulated that the whole line shall be

completed within four years from the date of the contract, as far as the Lower Blackwood Bridge; not that the company should merely have the right to complete the work within that time, but that they should be compelled to do so. Under the old agreement of 1871 the company had the right to complete their line or not, just as they pleased, or, if they liked, not to make a line at all; but here we compel the new syndicate to complete their line, as far as the Blackwood Bridge, within four years, so as to have it ready for the accommodation of the public. Another provision is that the subsidy lands be granted on the completion of each section; that is, after the first ten-mile section is completed the company will be entitled to its land in respect of that ten miles; and when they complete the other eleven miles they will then obtain the land they will be entitled to in respect of that section. We also recommend that a penalty of £10 a day be imposed if the company do not run their trains daily, as directed by the Commissioner of Railways, and further that if they make default, the Government may take possession of the line and work it. Of course this provision is made in the interest of the public. We do not say that the Government will be obliged to take the railway and work it, but that they may do so if they think proper, in the event of the company not carrying out their agreement as the Commissioner of Railways directs. The same provision exists in the Hordern contract and also the proposed contract with Millar, Brothers. There is also a provision that the contractors are to properly maintain the whole line from Lockeville to the Lower Blackwood, after it is built. It was proposed that the Government should have the right to purchase the railway at the end of 20 years; not that the line should revert to the Government, as was proposed in the contract with the Messrs. Millar. The contractors, however, were to have the right of user of the company's wharves and jetties and timber depôts. There is also a stipulation that the contractors shall have the right to cut timber, the exclusive right, for a distance of five miles on each side of their line, for a term of 50 years; also the same right on a block of land

10 miles square, commencing at the proposed terminus of the line at the Lower Blackwood. This exclusive right, however, was not to interfere with the right of the Government to cut timber on these lands for public purposes, or with the right of individuals to cut for their own use. The committee recommend that the lands to be selected by the company shall be subject to the conditions specified in the draft agreement submitted by Mr. Gordon, on behalf of his principals. Those conditions are set forth in the 10th paragraph of that agreement, which I will read:

"10. The land to be granted to the said Concessionaires as a subsidy shall be selected within 12 months of the completion of the said line of railway subject to the following conditions:—

(a.)—The said land shall be selected within an area bounded on two sides by lines drawn on each side of and parallel to the Railway from Lockeville to the said terminus at a distance not exceeding 40 miles therefrom and on the West by the sea coast at high water mark and on the East by a North and South line through the said terminus.

(b.)—The said land shall not be selected within any declared or supposed goldfield nor within any area set apart for mining or mineral purposes nor within an agricultural area unless subject to all the conditions and regulations applicable to land within such areas. And such land shall be selected in blocks of not less than 2,000 acres and in the manner and shape prescribed by the Land Regulations and shall be granted subject to the conditions of the Land Regulations.

(c.)—No town or suburban land shall be selected."

The committee further suggest that, as to any lands selected outside an Agricultural Area, such lands, as far as practicable, shall be subject to the conditions of the 54th Clause of the Land Regulations. If members will look at those regulations they will see that they contain certain conditions as to improvements which have to be carried out. The idea of the committee was this; that if we give away our land to these syndicates we should do so on conditions that

will bring about settlement, or colonisation I may call it, so that the country may derive many material benefits from the alienation of these lands. If we insist that these lands should be fenced, and improved in other ways, we are doing that which is the principal aim of our land regulations, and what we are all anxious to see brought about, the settlement of the country. We do not want to have these lands lying idle after they are alienated; we want to see them utilised and become of some value to the colony. I think I have now gone through the main features of the report. The result of the committee's deliberations was, it appears, sent as soon as it was made known, to the people of the districts more immediately concerned; and it would seem that our recommendations are not at all to their liking, so far as I can see.

MR. A. FORREST: That is only the hon. member's own constituents.

MR. PARKER: I am only talking of the constituents I represent; and I conceive it is my duty to bring to the notice of the House certain resolutions which the inhabitants of the district, mainly affected by this scheme, have passed at a public meeting held to consider the recommendations of the select committee. I presume the facts of the case are these: the Vasse people knowing that the syndicate represented by Mr. Gordon, had suggested a line from Busselton to Bridgetown, and, finding that the select committee did not approve of that route, but recommended an extension of the line originally proposed, were disappointed with the conclusions of the committee. They were delighted with the idea that the line should tap the Blackwood and have its terminus at Busselton, with the prospect which that opened up of a large trade, and visions of prosperity for the Vasse; and they were disappointed that the committee did not support this proposal, and apparently they are somewhat wroth with the committee for what they have done, though they have only suggested the carrying out as near as possible of the original idea. So the Vasse people, when they found what the select committee had done, assembled in public meeting and passed a series of resolutions. The meeting, I understand, was very numerous attended and fully

represented the views of the district generally. The Colonial Secretary has read the telegram sent to the Government embodying these resolutions; and it will be seen that the whole gist of their complaint is the alarm felt at the terminus of the line being at Lockeville instead of at Busselton. I cannot help thinking that our friends at the Vasse have been a little inconsistent over this matter. There is certainly an inconsistency between the terms of the memorial sent to the Governor and the terms of the resolutions passed at this meeting. The prayer of the memorial was simply that the original concessions should be transferred to this new syndicate, so that the timber trade might be revived, and the trade of the district revived, as no doubt it would be, if operations at the company's works were resumed on an extensive scale. The people of the district were quite content with the prospect of the original concessions being transferred, and not a word was then said about Busselton being made the terminus. No such a change in the original proposals was contemplated when the memorial was sent up; so that, I take it, it is only since then that the Vasse people have become alive to the very great importance of having this line carried out as was suggested in the draft agreement. But when they found that this new company were prepared to do a great deal more than the old agreement contemplated, and that there was a chance of Busselton being substituted for Lockeville as the terminus, their hopes and ambition were stirred up at once; and, when the select committee suggested that the original proposal should be carried out and the concessions transferred—as the memorialists themselves wished—we find our Vasse friends up in arms, and nothing will satisfy them now but to have their port made the terminus of the company's line on the seaboard, instead of Lockeville. I think I have already pointed out that it will entail the construction of another line almost parallel with a line already paid for, if this branch line were made to Busselton, and that it would mean the alienation of a considerable area of land; while, on the other hand, I cannot see, myself, that it would be a very great advantage to the town of Busselton if the terminus of this line is at

Lockeville. If the House sees its way clear to alienate some 12,000 acres more land, to pay for this line to Busselton, I believe the syndicate will be prepared to take the line there.

MR. A. FORREST: What is the object?

MR. PARKER: It would be a very great advantage to Busselton. It would concentrate all the trade in that town, and make it an important shipping port. The company could utilise the present jetty by expending some £5,000 or £6,000 on it. It is not strong enough now to carry a locomotive. I believe the company are prepared to do all this if the House will consent to grant them this land for building the branch line. It would, undoubtedly, be a good thing for the Vasse, and I should be glad, myself, if some member would move an amendment on the report of the committee to that effect. Such an amendment would certainly have my support. I may say that the idea of the committee was to present a report which they thought would be acceptable to the majority of members, and they feared that if they suggested that the line should go to Busselton, the House might object to the granting of the subsidy land, seeing that it would mean the abandonment of a portion of railway already paid for in land by the colony to the old company. The committee thought there might be a strong opposition to their report if it contained a recommendation to that effect. As I said just now, the prayer of the memorial sent to the Governor did not contemplate the removal of the terminus from Lockeville to the Vasse, and my principal object was to carry out the views contained in that memorial, which I understood represented the views of the Southern districts generally, the object in view being a revival of the timber trade by the transfer of the concessions of the old company, which had come to grief, to another and wealthier syndicate. I certainly looked upon it as a matter of secondary consideration, the extension of the line to Busselton; and I think that idea did not enter the minds of the Busselton people until it was found that the new syndicate were prepared to bring their line to that town, for a consideration. It is simply a question now of whether the House will

grant this consideration in the shape of some 12,000 additional acres of land for the sake of doing this good turn to the people of the Vasse. I shall be glad, myself, if the House should feel disposed to do so.

THE COLONIAL SECRETARY (Hon. Sir M. Fraser): I may say that, personally, I am in favor of the report of the committee; but, in deference to the strong representations that have been made to the Government by the inhabitants of the Vasse district, and, as the hon. member who has moved the resolution has expressed his willingness to accept an amendment, it is my intention to move the addition of certain words to the resolution in the interests of the district in question. I now move that the following words be appended to the resolution of the hon. member for the Vasse: "Provided that the railway should be continued westward from Lockeville to Busselton, it being optional with the contractor to use either port as a shipping place, both being used for passengers and goods generally." I think I am right in saying that we owe it to the district of Busselton to give it as much advantage as we fairly can under this proposed new agreement. I may say that the much-condemned old agreement, which had been agreed upon before I came to the colony, and was concluded very shortly afterwards, was entered upon by the Government in the interests of that district, and the interests of that district solely; and, whatever may be said against that old agreement now, it must be allowed that for many years it was fraught with large benefits to the Sussex district. It gave a stimulus to the trade of the district and it provided a profitable means of employment, and served as a good market for the disposal of the settlers' produce. The district flourished for some years, so long as the timber trade flourished; and when the timber trade languished the trade of the district languished. Therefore, this old agreement, however desirable it may be now to do away with it, did do a large amount of good to the district in its day; and, as that agreement was entered into by the Government in the interest of this district, I think it is only right that we should bear that in mind while considering this fresh

agreement. Of course it rests with the House to say how far it is prepared to go with these concessions, but I do think it should be made a condition that the line should be continued westward from Lockeville to the Vasse. I feel sure that much benefit will be derived not only by the districts more immediately concerned, but also by the colony at large, if these proposals, on the basis here sketched out, with the conditions as to improvement of the land conceded to the company, are carried out. I trust the resolution, with the amendment I have proposed, may commend itself to the House.

THE HON. SIR J. G. LEE STEERE: Before that resolution is put I think it would be more convenient and satisfactory to the committee if we take this report section by section. I have some amendments to propose in different sections as we go through them, and no doubt other members have; whereas if this resolution and the amendment of the Colonial Secretary is agreed to, it will dispose of the whole question.

MR. RICHARDSON: Speaking generally, there are some portions of this report which I think it would not be advisable to agree to. For instance, I notice that it is proposed to give the contractors the exclusive right to cut timber over these areas for so long a time as half a century. That appears to me a long time to give any company this exclusive right; and I should be prepared to support an amendment curtailing the term. If, however, we are going to deal with the various paragraphs seriatim, perhaps I had better wait until we come to this particular paragraph.

MR. LOTON: It appears to me that if I know anything about the feelings of the committee, their desire is to do away with the present contract and to enter into a fresh contract. As to the report, no doubt the committee were to some extent hurried, because it was thought at the time that the House was going to be prorogued. I take it that the whole business was hurried, for we had their report in print the day after they were appointed, if not the very same day. They must have got through their work very smartly, seeing that they had to take some evidence as well as to consider their report. But, when it is remembered that there were on this com-

mittee two members of the present Government and two aspirants for seats in a future Government.—

THE COMMISSIONER OF CROWN LANDS (Hon. J. Forrest): Name, name.

MR. LOTON: The leader of the House on this side, and the hon. member for Wellington. They will not deny, I am sure, that they aspire to become members of a future Government. Seeing then that we had all these distinguished gentlemen on this committee, it is no wonder that they got through their work so smartly. At the same time I think the conclusions arrived at by the committee, as put forward in this report, do not amount to very much. They do not carry very much weight with them to my mind. In the first paragraph they say they think it desirable to do away with the present contract; and, as to that, I think it is generally agreed that a better contract might have been drawn. Still even this old contract, condemned as it has been, has some good points. There was a limit I think to the length of railway they could make and get paid for, though that is disputed by some members; but in my opinion they were certainly limited to 45 miles, putting the very widest construction upon it. Another limit that has been put upon it is 25 miles; the limit I, myself, should be disposed to put upon it is 31 miles. If it were necessary, I should have no hesitation, myself, in the interest of the colony, to fight that point out in a court of law, and I have no hesitation in saying that I would win. However, that is not before us now. The present company having secured certain rights have come to the Government to have those rights varied; and the question was referred to this select committee. What has the committee done? Instead of recommending that the line should be continued in the direction of Bridgetown, as the company, we are told, were prepared to do, they recommend that it should go to the Lower Blackwood.

THE COMMISSIONER OF CROWN LANDS (Hon. J. Forrest): That was the original direction.

MR. PARKER: These people are quite prepared to stand by the old agreement.

MR. LOTON: Why don't they carry it out?

MR. PARKER: The Government won't let them.

MR. LOTON: At any rate, it was proposed that they should go to Bridgetown, but now it is recommended that they should not be allowed to go there at all, but in some other direction; and, now we have an amendment by the Government saying that the line should go in another direction, so as to have the terminus at Busselton. It does seem to me absurd, childish, to have proposals of this kind placed before the Government and before the Legislative Council, and have them changed about like a weather-cock.

THE COLONIAL SECRETARY (Hon. Sir M. Fraser): No, no.

MR. LOTON: I say, yes; and, that, too, with very little consideration. We are told by the hon. member for Sussex, and also by the Colonial Secretary, that the timber industry has been the salvation of these Southern districts, the very life-blood of that part of the colony. I am of an entirely different opinion. This W. A. Timber Company has been in existence during the last 18 years, and I venture to say that the district where it had its works would have been in a very much better position to-day if this timber industry had never been started there. It has been something like the sandalwood industry in the Eastern districts: it diverted the farmers from their own legitimate industry, the cultivation of the soil, and sent them sandal-wooding, to the neglect and ruin of their farms and themselves. It has been the same with this Sussex district. The settlers neglected the cultivation of their farms for the sake of this timber business, and what is the position of the district now? It is a starved out district at the present time. Twenty years ago the settlers in that part of the colony used to send a very large supply of the eatables consumed in Perth, in the way of produce; but what has been the case of late years? What has been the amount of the products sent down from this district? Nil; and it has been due to this timber industry. The people of the district devoted themselves body and soul to the timber industry, leaving their land uncultivated. That is what this company has done for the district. And what have they done for themselves?

According to their own admission, it has pretty well ruined them; it has brought them into this position that their affairs are now in liquidation, and they are on the verge of insolvency. So they tell us; and their successors now come before us for further concessions. So far as I am concerned, I am not one of those who wish to obstruct any progressive measure that will tend to the settlement and development of the country; I don't care what part of the colony it is. I am not an obstructionist of that kind. But when proposals like these are placed before us they should be considered and weighed very carefully, and this House should not be ready to jump at every scheme that comes before it. I notice that the Attorney General says "hear, hear," to every proposal that is made, and every amendment. No doubt he knows a great deal about these matters.

THE ATTORNEY GENERAL (Hon. C. N. Warton): I do; I have studied them very carefully indeed for months.

MR. LOTON: Most of us will have our own opinion on that point, but the Attorney General's "hear, hears" have certainly attracted my notice; and it is amusing to hear him changing his views. If it is proposed to take the line to Bridgetown, we have "hear, hear" from the Attorney General. If it is suggested it should go to the Blackwood, "hear, hear" from the Attorney General. If an amendment is moved to take it to Busselton, "hear, hear" from the Attorney General. It really is amusing. Every proposal meets with his hearty approval. I do not see, myself, that any very strong case has been made out for doing away with the original contract, unless, at any rate, we are sure of getting a better one, based upon reasonable concessions.

MR. VENN: As a member of the select committee who have inspired so much confidence in the hon. member for Greenough, I should like to say a few words. I agree with the report generally, although in one or two particulars I intend to move some amendments. The committee had very little time to consider the matter and to draw up their report, and we know it may be capable of improvement in some particulars. One reason why I should be disposed to agree to land grant concessions in this instance,

is that the old W. A. Timber Co.—so I ascertained when on the committee, it was not clear to me before—had a distinct claim under an agreement made 17 or 18 years ago—a most objectionable agreement, which every member would like to see cancelled. The hon. member for Greenough says he would be prepared to contest the point in dispute, in a court of law; but I may tell the hon. member that the leading members of the bar in the colony say it is a good and valid agreement, and one which the company could successfully contest. That opinion has been confirmed by the opinion of some eminent lawyers at home. Therefore, we are brought face to face with this fact: there is an agreement now in force under which the Government could be compelled to do that which they would not wish to do, and that is to transfer the concessions as they now exist under the present agreement with the W. A. Timber Co. The next thing to consider is this; if there is a chance of getting out of this old and obnoxious agreement, we should try and do so on the best terms we can in the interest of the colony. The original proposal of the new syndicate as to the extension of the railway was that the terminus should be at Bridgetown, but fresh proposals were afterwards made by Mr. Gordon, which seemed in every way more desirable than the original proposal to go in the direction of Bridgetown. I have been in both directions, and I quite agree with the fresh proposal, for it undoubtedly affords the natural outlet for the timber trade, and it would also develop a portion of the district which, without railway communication, would remain undeveloped certainly for many years to come. Another important consideration not to be overlooked is that the line as proposed will go in the direction of the locality of the recent coal discovery at the Fly Brook. If that coal seam comes to anything it will be absolutely necessary that there should be railway communication. St. John's Brook, by way of which this line is now proposed to be taken, is only about 30 miles from the Fly Brook, where coal has been found, and I believe it is in a direct line. Therefore, there seemed to be good reason why we should deviate in that direction. I would not agree to this proposal on the

ground submitted by the hon. member for the Vasse, the other evening, when he said he considered it was absolutely necessary for the salvation of the district that the timber trade should be revived. I cannot agree with the hon. member that the timber industry has been the life-blood of these Southern districts, and that unless it was revived, the country must go to the dogs.

MR. PARKER: I did not say anything of the sort; I simply quoted from a memorial signed by all the leading people among the hon. member's own constituents.

MR. VENN: I can tell the hon. member this: there is no part of the colony where there is less depression than in the districts referred to. I can say that from my own knowledge. There is no district in Western Australia in a better position financially than the Southern districts at the present time. I have every reason for making that statement. There is no depression in the sense of impending ruin, or anything like it, among the farmers and settlers of these districts. The evidence taken by the Agricultural Commission will show that.

MR. PARKER: I only quoted from the memorial. The hon. member must blame his constituents; not me.

MR. VENN: I fancy that memorial referred rather to a few individuals, and not to the condition of the district at large. These Southern districts, given railway communication, would be able to supply all that the colony requires in the shape of those products that are now so largely imported from other countries. That is my opinion; and it will be borne out by the reports of the Commission of which I have the honor to be chairman. The lands in these districts are certainly more valuable in my opinion than any other lands in any portion of the Southern districts of the colony which have been granted to any railway syndicate; and as to the quantity of land per mile asked for this railway, I feel we are giving full value when we are giving 2,000 acres a mile. I need not go into any further details now; but, on the general question of granting this concession I am in full accord with the recommendations of the committee.

THE ATTORNEY GENERAL (Hon. C. N. Warton): Sir Thomas Campbell,—

the hon. member for the Greenough has charged me with indulging too freely in "hear, hears." That is a very serious charge; but I am glad to find that my "hear, hears" amuse my hon. friend. Whether we get this line taken to Bridgetown or to Busselton, or anywhere else within a limited area, is to my mind one of the smallest considerations which induced me to cry "hear, hear." There are two considerations of infinitely greater importance to my mind than the question of route or of terminus. The first of these is that touched upon by the hon. member for Wellington—a consideration forgotten entirely by the hon. member for Greenough—and that is the opportunity of getting rid of a very awkward agreement. If the member for Greenough wishes to see the colony involved in another long and costly lawsuit, in protracted litigation, no doubt his wish may be gratified if we do not show that we are prepared to meet the gentleman who has come here to represent this new syndicate who have purchased the rights of the original concessionaires. Secondly, from all the inquiries I have made, and from all I have heard, I solemnly believe that there never has been, so far as I know, in the history of this colony, a more respectable syndicate than the gentlemen now anxious to enter into this contract with us. I have inquired into the matter, and I know that one firm concerned in the proposals now before us, Messrs. Gibbs, Bright, & Co., have a most extensive business connection in England, another has very extensive business connections in Germany; and another has a very large timber connection. Altogether I think the colony is to be congratulated upon having gentlemen of such respectability, wealth, and business connections to deal with in a contract of this kind, and not men of straw. That is one reason why I should like to see these concessions transferred. The hon. member for Greenough seemed to throw some doubt upon whether I knew anything at all about this matter; but I can assure him that for months past I have had this question under consideration; and I have had to go very fully into it, with the view of assisting, so far as I could, His Excellency and others who had to deal with the matter. It is my solemn belief that in the hands

of the gentlemen we are now treating with, the settlement of this question in the manner indicated would be a very good thing for the colony, and particularly for the district more immediately concerned.

THE COLONIAL SECRETARY (Hon. Sir M. Fraser): I now move that my proposition be added.

Question put.

MR. VENN: I understand from that amendment that the line to Busselton would run along the coast.

THE COLONIAL SECRETARY (Hon. Sir M. Fraser): Hear, hear.

MR. VENN: In that case I do not think that would meet the objections or the wishes of the Vasse people, in any way whatever. What the Vasse people apparently want is a branch to their town from the junction of the company's line with the Bayswater-Busselton railway or surveyed line. Lockeville will still be the company's terminus; it is optional with the contractors, according to the amendment, to use either Busselton or Lockeville as their shipping place; and, as they have their own jetty at Lockeville, it is not likely they will go to the Vasse for the mere sake of amusing the Vasse people. If we wish this line to be of any practical benefit to the Vasse, it ought to go in some other direction, so that there might be some chance of tapping the intervening country. To run it along the coast would be no benefit at all to the Busselton people generally. On one side there is the sea, and on the other side sandhills. The select committee thought of this point and discussed it, and they considered it very undesirable to have two parallel lines of railway, after having paid for one already. I feel inclined to oppose the Colonial Secretary's amendment.

THE COMMISSIONER OF CROWN LANDS (Hon. J. Forrest): What the Vasse people ask for is a branch line to Busselton, starting about $1\frac{1}{2}$ miles from Lockeville, and running on the south side of the marsh, and into the Vasse that way. It cannot make much difference to the Vasse people whether it goes that way or along the coast. The line they require and the one now proposed by the Government would not be more than two miles apart; and it seems to us it would be better in the interest of the district and of the company, too, that they should

have the option of shipping their timber either at Lockeville or the Vasse. The reason why the Government are anxious that the line should run to the Vasse is not so much for the sake of the timber trade as for the sake of providing the people of the district with railway communication right into the town, and not be left three or four miles from their destination. With regard to the proposition generally, I would ask members to bear in mind the value of 2,000 acres, which is what they ask for, per mile,—its value to the Government at the present time, and in its present state. The value set upon 2,000 acres under the Land Regulations is £50 a year, for 20 years. If we borrowed the money to build this railway, estimating it to cost £2,500 a mile, the interest at 4 per cent. would come to £100 a year. Therefore, it seems to me that it would be much cheaper for us to have this line built for us and pay for it at the rate of 2,000 acres of land, worth £50 only for 20 years, than borrow the money to build it, and pay interest at the rate of £100 a year for ever.

MR. MARMION: That is, if we came to the conclusion to build it at all.

THE COMMISSIONER OF CROWN LANDS (Hon. J. Forrest): I have no doubt it would be advantageous to the district to have this railway built; there is no occasion for me to argue that point. We are all agreed that the one thing necessary in this colony is to provide cheap means of communication, cheap transit. After all, if members knew this country as well as I do, and its present condition—which is the same, in every sense, as it has been in since the colony was founded—they would not place so much value upon it as they do. For about 40 miles a road has been made and bridges built, by convict labor years ago; and how many houses are there to be seen there now? When I was there, I saw no houses at all. I believe there is now a small farm at St. John's Brook, and that is the only sign of settlement along the road. That shows pretty well the character of the land. It seems to me that this land is at present comparatively useless to the colony; and would it not be a good thing if we had a railway made through it, so that any portions of it that may be fit for cultivation may become settled and cultivated and im-

proved, and enhanced in value? And under this contract the committee recommend that the improvement clause of the Land Regulations shall form part of the agreement. I think it would be a very good thing for the colony to have this contract carried out as is now recommended, and that the country would get a very good bargain. It does not matter to us whether this land is held by this company, or by whom, so long as we get it improved, so that we may derive some benefit out of it. We are always saying that we want capital in the colony, and there can be no doubt about that. The hon. member for Wellington, with every desire to put the best complexion he can upon the part of the colony which returns him to this House, says there is no depression in this district. I think I know something about the district, and I must join issue with the hon. member. I think there is a considerable amount of depression. Those whom I have met and conversed with assure me that there is a great deal of depression, that there is no sale for anything in the district, that if you have any produce to sell you cannot get rid of it, for cash at any rate. I met one of the principal settlers of the district the other day, and he told me that he had some fat stock he wanted to get rid of, and that he could not find a cash market for it at Bunbury. Is that a prosperous state of affairs? I am quite aware that in all these agreements we must be careful to settle the terms in a business-like way; but I do not think we shall go very far wrong in accepting the proposals put before the House by the select committee. It seems to me that the colony has everything to gain, and that we are not likely to lose anything, by agreeing to these proposals. We certainly have to give away our land; but, as I said before, this land is of no real value to us unless it is utilised and improved. In other parts of the world they give away their land, in limited quantities, to any settler that likes to come in and improve it; and, under our own conditional purchase regulations, at the present time we are virtually giving away the land for nothing, on conditions of improvement. Here we shall have a line of railway among other improvements made, besides conferring

other benefits upon the district. I think the colony has every reason to congratulate itself upon the terms of this fresh agreement. It will do a great deal to promote the settlement of this country, and convert land that is now practically worthless into valuable country. This railway will bring the Warren district into closer connection with the port, and also the alleged coal fields; and, altogether, I look forward to a brighter future for this part of the colony if these proposals are agreed to and carried out. Apart from the future prospects which it opens up, I should like to point out that the carrying out of this project means an expenditure of at least £25,000 in the colony.

MR. RICHARDSON: It appears to me that the whole drift of the Commissioner of Crown Land's remarks goes to prove that the House ought to have been furnished with more information as to the nature of the country and the value of the land through which this railway is intended to run. One says it is capable of producing all we want to supply the requirements of the place; another says the land is valueless. Whom are we to believe? It appears to me that we are taking a leap in the dark, in giving away 2,000 acres for every mile of railway which this company make for their own use, when we do not know whether this land is worth 6d. an acre or £6. We are simply in total ignorance of the value of the exchange we are asked to make. With regard to the Colonial Secretary's amendment, I think that within certain lines it is not undesirable that the Vasse should be connected with this line of railway. We know there is a considerable amount of what is called vested interest at the Vasse; a certain amount of population already established, and a certain amount of settlement; and it seems to me that to make this line and to come to their very door and yet not serve them, would be rather a slight upon them, and a slight they would feel very bitterly. The only question is what do we give in exchange for this boon? It appears that according to their own calculation, it would be about 8,000 acres of land. When we talk of giving away this land, I would ask the House to bear this in mind, that we are giving it away, or a portion of it, upon

terms of improvement; and I take it that the whole secret of the success, or otherwise, of this scheme depends upon whether this land is improved or not. I contend that the clause of the Land Regulations which the select committee propose to put these people under, the 54th Clause, will not ensure any great amount of settlement at all. The 54th Clause simply means that they shall fence it round within three years, and spend 5s. an acre upon it within seven years. That does not imply any cultivation or *bond fide* settlement to any extent at all. The improvements may be of a very dummy character, just enough to bring them within the meaning of the clause; and, when we come to that paragraph I intend to move an amendment upon it, and shall propose that the conditions shall be those provided by the 49th Clause, and, if possible, I should insist upon a certain amount of cultivation, among other improvements.

MR. A. FORREST: As to the nature of the land in this part of the colony where these concessions are asked for, I may safely say that I know more about these two districts than anybody else in this House, and especially of the Vasse district. The land in the Vasse district and about the Lower Blackwood Bridge is a timber country, and there is little or no agricultural land whatever, and I maintain that this line of railway is simply intended for the development of the timber trade. It is not intended for the farming interest; there are no farms there. On the eastern or north-eastern side, in the Wellington district, there exists some of the best land in the colony, worth a great many pounds an acre, a great deal of it; and, I should think this company will select their lands there, and not along the railway line. If it had been made a condition that they should select their lands within a 5-mile belt of their railway, I do not think they would ever have agreed to it. My idea of this matter is, that if the House intends to grant these concessions, the railway should start from Busselton and run in a direct line to the Lower Blackwood. That's the proper route for the line to take.

THE COMMISSIONER OF CROWN LANDS (Hon. J. Forrest): We have already paid for one line.

MR. A. FORREST: It is only about six miles more, and it would pay you to do it over again. I know the country. I am surprised at the hon. member for Wellington saying there is no depression in that district, and that it is in a flourishing state at the present time. I differ from him. I think both these districts are in a very bad state, in consequence of this timber industry having been abandoned. The hon. member has not lived there lately, or he would have known better. The timber industry was the main-stay of many people in these districts. This timber is no good to us; it is no good to anybody until it is cut down and exported. I believe there is more timber burnt every year than these people would cut. Let anyone travel through the country as far as the Leeuwin, and he will see ten times as much timber wasted and destroyed as the mills cut. We want people with money, like Gibbs, Bright, and Co., with their ships and their large business connections all over the world, we want people like these to take up our timber, and advertise it, and give us a name as a grand colony for its timber; and I hope to goodness the House will agree to their proposals. If our Land Regulations are carried out I do not see what right we have to ask what these people mean to do with the land; I think if they agree to do the improvements which we ourselves thought necessary, when framing these regulations, we cannot ask any more of them. It must be remembered that these people are only asking 2,000 acres per mile, when we have been paying other syndicates 12,000 acres; and, as the Commissioner of Lands has said, this land is bringing in nothing at present, nor likely to do so, unless we get a railway through it. If the House agrees to these proposals I hope the Government will take more care in drawing up this contract than they did the old one, with the other company. It was a perfect disgrace that they ever got any land at all; I don't know who passed the line for them. I hope the Government will see that they get a proper line made now, and not a line that you are liable to run off it every two or three miles. Whoever passed that old line ought to be brought to the bar of this House. It is a shame that they ever got an acre of land for it.

MR. LOTON: If this concession is granted at all, I think it is essential that the line should go to Busselton; the inhabitants of that place and the immediate neighborhood no doubt have strong claims to be considered in this matter, and they ought not to be overlooked. Our great object should be to encourage settlement, and that is the only ground I think upon which these concessions can be defended. It would appear from what has fallen from the members of the Government that this line is to be constructed for the sake of the timber industry, rather than to encourage settlement; but that is not the light I look at it. The whole of this discussion goes to show how necessary it is that the Government when they bring schemes of this kind before the House should have some definite idea of what they are prepared to do, and not have us discussing half-a-dozen different proposals, the line one minute going one way, and next minute going some other way.

MR. SHOLL: Members know I do not believe in land grant railways as a rule; and I think we ought to have had a great deal more information than we have had from the Government, as to this particular scheme, before the House agreed to it. Still, no doubt, there is a majority in favor of the scheme, and, therefore, it is not much use my saying any more about it. With regard to the amendment, if this line is going to be taken to the Vasse, and this company is to have the use of the jetty at that place, I think it should be borne in mind that this jetty has cost this colony a lot of money; and I do not see why the company should not be asked to contribute their share towards it. I understand from the hon. member for the Vasse that they are prepared to spend some £5,000 upon this jetty. If so, I hope the Government will see that it is done, and that the work is carried out properly.

MR. BURT: I notice that some stress has been laid on the respectability and sound position of the promoters of this scheme. I think the Government should take advantage of that when framing this contract, and see that provision is made for the work being carried out by these people, and not have these concessions hawked about as other concessions

have been. Care should be taken that these concessionaires are not allowed to sign away these concessions when they get them, otherwise we may have this contract bandied about from one set of speculators to another, and the colony receiving little or no benefit. If these people are such good people as we are told they are by the Attorney General—and I do not doubt it myself—I hope the Government will make the most they can out of that fact, and see that these concessions are kept in these gentlemen's own hands.

THE DIRECTOR OF PUBLIC WORKS (Hon. J. A. Wright): I merely rise to say that it appears to me that this discussion should be confined to the general merits of the proposal, and not to the details of the scheme, and the precise route which the railway is to take. According to the standing orders introduced last session, any proposal for the construction of any railway, either by the Government or by private persons, shall be accompanied by a general plan of the proposed route, showing roughly its direction; which is all we have here. But, when the bill for the construction of the line is brought forward, the standing orders provide that before the bill is read a first time, detailed plans and sections, showing all the lands affected by the line, the level crossings, bridges, and all particulars must be provided.

MR. PARKER: That is when there is a bill.

THE DIRECTOR OF PUBLIC WORKS (Hon. J. A. Wright): I do not see how you are to work this railway without a bill. It would be an impossibility to give them these concessions without a bill.

MR. PARKER: There was no bill before.

THE DIRECTOR OF PUBLIC WORKS (Hon. J. A. Wright): It appears to me it will be necessary to have a bill now, dealing with this railway. We have had a bill in every other case. The only question now is as to the merit of the scheme, there will be plenty of time hereafter to go into details. The contract cannot be binding until it is approved by this House.

MR. MARMION: Still I take it that the Government desire to be informed as

to what the views of the House are as to the direction of the line, so that the terminus may be fixed. With reference to the proviso of the Colonial Secretary, I look upon it as one of the main features of the whole affair; and I shall not support the adoption of this report unless these words are added to it. As to the necessity for resuscitating this timber industry, I have some very reliable information as to the present condition of this district, and the depression and stagnation that exist in it; and, in my opinion, if there is a district in the colony that requires the attention of the Government and some stimulus in the direction of reviving its trade and industry, it is the district that would chiefly benefit by the granting of these concessions and the carrying out of these works. I have a letter from a settler of many years standing which shows very clearly the necessity of doing something in this direction. According to my informant, so far from there being no depression in the district, many of the settlers who formerly depended on this timber industry have been reduced to the verge of starvation. The letter proceeds to point out the advantages of this line, and the absolute necessity of the terminus being at Busselton; and the writer says that place will ere long be deserted unless something in this way is done; and that if the terminus should be at Lockeville, they would simply have to remove to that place. I would point out that the settlers of this district have received very little assistance from the Government of late years, and the least we can do for them, when an opportunity offers for doing them a good turn, is to do the best we can for them. As to the proposals now before us there are two very strong reasons to my mind why the House should accept them; one is the opportunity offered for getting rid of a very objectionable contract, and the next is the desirability of doing something for the district. Though at first I was inclined to deal with the proposal in a hostile spirit, I have since come to the conclusion that it would be in the interests of the colony, and in the interest of the district particularly, that we should get rid of the old contract, and place those concessions in the hands of people who are likely to make some good use of them, for themselves and for

the colony. There are several details, however, which I should like to see modified.

MR. PARKER: I would point out that it may be desirable perhaps to have some different conditions attached to this branch line to the Vasse. Possibly, the Vasse may in the future be connected by rail with Perth; and it would be as well to bear that in mind in settling this contract.

THE COMMISSIONER OF RAILWAYS (Hon. J. A. Wright): The Government of course will have running powers over the company's line, as they have over every other line in the colony.

Amendment agreed to, and resolution, as amended, put and passed.

MR. PARKER moved that the terms and conditions of the contract shall be based upon the terms and conditions of the proposed contract with Messrs. C. & E. Millar for the construction of a Branch Railway to Torbay, with the following modifications:

- a. The strip of land for the Railway to be only two chains in width.
- b. The line to be divided into three sections, the first from Busselton to Lockeville, the second of 10 miles in length, and the third to comprise the remainder of the line, about 11 miles.
- c. As each section is completed the line of Railway to be absolutely vested in the Contractors, together with such areas, not exceeding 50 acres each, as may reasonably be required for timber depôts or stations.
- d. Any compensation payable in respect of lands resumed or taken for the purposes of the Railway (not being Crown lands) to be paid by the Contractors.
- e. The whole line to be completed in four years from the date of the Contract.
- f. The subsidy lands to be granted on completion of each section.
- g. The penalty for not providing and running such passenger trains and carriages as the Commissioner of Railways may direct to be £10 a day; and, further, that if the Contractors make default in running trains as directed by the Commissioner,

the Government may take possession of and work the Railway.

- h. The Contractors to properly maintain the whole line from Busselton and the works in connection therewith.
- i. The Railway not to revert to Government, but the Government to have right of purchase at the expiration of 20 years at a valuation.
- j. The Contractors to have the right of user of the Company's wharves, jetties, and timber depôts.
- k. The Contractors for 50 years to have exclusive right to cut timber for space of 5 miles on each side of line of Railway and on a block of land of 10 miles square, commencing at the proposed terminus of the Railway, subject to right to cut timber required for public purposes, and to persons to cut for their own use.
- l. The subsidy lands to be selected as provided, and subject to the conditions mentioned in the Draft Agreement laid upon the Table of this House, being Council printed Paper A 7; but, as to lands not within an Agricultural Area, subject also (so far as applicable) to the conditions contained in the 54th Clause of the Land Regulations.

MR. BURT moved that sub-section c. be struck out, and the following inserted in lieu thereof:—"As each section is completed the use and enjoyment of the line of Railway and of such areas, not exceeding 50 acres each, as may, in the opinion of the Government, be required for timber depôts or stations shall be vested in the Contractors." He did not think it at all necessary to absolutely vest in the contractors these strips of land, all over the country. These contractors would probably be absentees, and why should we vest the land in them, so long as they had the user of it.

Amendment agreed to.

MR. RICHARDSON thought 50 years was too long a term to give any company the exclusive right of cutting timber, as provided in sub-section k; and he would

move, as an amendment, that "25" be inserted in lieu of "50."

MR. VENN said though the time appeared long, it must be borne in mind that this right to cut timber ceased whenever any of this land was sold or alienated, or should it be declared an agricultural area.

THE COMMISSIONER OF CROWN LANDS (Hon. J. Forrest) said that was so. All their rights to the timber ceased as soon as any of the land was sold,—all their rights over the land sold.

MR. LOTON: Where is that provided for?

THE COMMISSIONER OF CROWN LANDS (Hon. J. Forrest): It is so provided in the old agreement, and it will be put in this contract. No concessions, in respect of the lands referred to here, would continue after these lands were alienated. When the Government sells a piece of land they sell the timber with it.

MR. BURT: I should say there is not the slightest chance of the contractors taking up this contract, if that is to be a condition of it.

THE COMMISSIONER OF CROWN LANDS (Hon. J. Forrest): It is in the old agreement.

MR. BURT: Perhaps that's the reason why they want to get rid of it.

THE COMMISSIONER OF CROWN LANDS (Hon. J. Forrest): It has been pointed out to them, and they are quite prepared to agree to it.

MR. BURT: It would not take much capital to follow them up, and to deprive them of this right then. A man with a little capital could follow them up like a hawk follows a sparrow, and their concessions made entirely useless to them, by a person of evil mind. All he would have to do would be to purchase blocks of this land, here and there, and he could do so for very little money at the regulation price.

MR. PARKER: I may say that I know that what the Commissioner of Crown Lands says is correct, and that Mr. Gordon, on behalf of the concessionaires, is prepared to accept this right for 50 years, subject to the condition that, if any of this land is sold, the right in respect of that land shall cease, immediately there is an absolute alienation from the Crown. Of course they do not surrender

their right when the land is merely leased; only when it is sold. The committee suggested that their right should be for 25 years, but Mr. Gordon insisted on 50 years as a *sine qua non*, in view of this liability to forfeiture. Probably the hon. member for the North, when he moved his amendment, was not aware that this right was subject to forfeiture in the event of any of the land that happened to be sold before the expiration of this 50 years.

Amendment put and negatived.

MR. MARMION said he noticed that in addition to the right to cut five miles on each side of their line, they also had the same right on a block of land 10 miles square, commencing at the proposed terminus. This was a greater concession than existed under the old agreement; it was double the quantity at present given to them.

THE COMMISSIONER OF CROWN LANDS (Hon. J. Forrest) said that when the proposition was first made to the Government they suggested a block of five miles, but it was pointed out by the representative of the syndicate that they were in a worse position now, as to the supply of timber, than the old company was 18 years ago, when they had the pick of the country. These people would have to go some miles into the forest with their railway before they came to any good timber country. So the Government thought they might give them this additional five miles at their terminus.

MR. LOTON said if this syndicate were not to have the right of cutting after the land was alienated, he had no objection to the 50 years.

The matter then dropped.

THE COMMISSIONER OF CROWN LANDS (Hon. J. Forrest) said as some doubt had been expressed as to the right to cut timber ceasing when any of the land had been sold, perhaps it would be as well to provide for it here, although it was understood by the company's representative. He moved that the following words be added to sub-section (k): "Provided further that this exclusive right shall cease over any lands sold under the conditions of the Land Regulations."

Amendment put and passed.

THE HON. SIR J. G. LEE STEERE said the next sub-section (l) was perhaps of more importance than any of the others. It dealt with the selection of the subsidy lands. He was doubtful, himself, whether the timber industry had heretofore benefited the Sussex district, or any other district, as had been said. The hon. member for Sussex said that the people of the district were anxious to have the industry revived, and that if it were revived as now proposed it would do the district an immense amount of good, and raise it from a state of depression to a state of prosperity. If so, he thought this syndicate should be required to select their lands within that district. He thought it was absolutely unfair that they should be allowed to take their lands out of districts that would derive no benefit whatever from their operations or from this railway. They should be restricted to the district for which this railway and these timber works were going to do so much good. It would be only a fair *quid pro quo* that the land required to resuscitate this industry should be taken out of the district that was going to be benefited by it. According to sub-section l, the subsidy lands were to be selected as provided in the draft agreement, that was to say "within an area bounded on two sides by lines drawn on each side of and parallel to the railway from Lockeville to the said terminus, at a distance not exceeding 40 miles therefrom, and on the west by the sea coast at high water mark, and on the east by a north and south line through the said terminus." He thought a radius of 40 miles was too wide a radius; it would take in land altogether beyond the area that was likely to be benefited in any way by this railway or this concession. He thought it would be rather stretching it beyond what he considered a proper distance if it were reduced to 20 miles. He moved, as an amendment, that the words "as provided," in sub-section (l), be struck out, and these words inserted:—"shall be within a distance of 20 miles from the said Railway, and within the Sussex district."

MR. PARKER said it had been a mistake or an oversight on the part of the select committee, and also of Mr. Gordon, to describe the area of selection as being bound on the east by "a north

and south" line; the line ought to be east and west. Taking it north and south would be perfectly ridiculous, and leave them no land. He proposed to amend that by inserting these words: "and on the east by a line at right angles to the general course of the railway."

THE HON. SIR J. G. LEE STEERE said he had no objection to those words being incorporated with his amendment.

The amendment was altered accordingly.

MR. PARKER said as to the proposal to limit the selection to a distance of 20 miles, and within the Sussex district, he did not know what land this would leave open for selection, but he should imagine it would have the effect of damning the whole scheme, and put an end to the whole matter. The great object the Government had in view in getting rid of the old agreement was to do away with the right of selection in any part of the colony; for under the old agreement the company had the right to select their lands wherever they liked, in any part of the colony, and any kind of land. Now it was proposed to restrict this new company to an area of 40 miles. Not satisfied with this, it was now proposed to limit them to 20 miles, and confine them to one particular district. To reduce the area of selection from a roving commission to go all over the colony, to a small patch of 20 miles, was certainly a tremendous reduction; and, if agreed to, he thought they might say "good-bye" to the whole scheme.

THE COMMISSIONER OF CROWN LANDS (Hon. J. Forrest) would like to know what virtue there was in the Sussex district that they should exclude it from the company's right of selection. This line of railway was not intended to benefit a few settlers within a few miles of the line. We gave the Midland and the Great Southern syndicates 40 miles on each side of their lines to select from, so that they might be able to select land that would be of some use to them. What difference could it make to this colony whether this company selected their lands within 20 miles or 40 miles of their line, so long as the land was improved? The probability was that they would not go farther than they really need to select their land. The syndicate made a strong point of their right

under the old agreement to select land in any part of the colony, and to take town lands or mineral lands if they liked; but he urged upon them that if they consented to limit their area of selection to 40 miles, like the other two syndicates, the Government and the Legislature would probably look at their proposals with approval. But to reduce the area to 20 miles was too much of a good thing; and he hoped the House would not jeopardise the whole scheme by adopting this amendment.

MR. VENN said there was this to be considered: if the land had to be selected within an area of 20 miles of the railway, it was more likely to be utilised than if it was 40 miles away. Our main object was to get the land settled and cultivated, and he thought that would be more likely to be secured by restricting the area of selection to a comparatively short distance of the line of railway. He believed there was a quantity of good land within an area of 20 miles.

MR. A. FORREST said he differed from the hon. member on that point; he did not think they would get 100 acres of good land on the west side of this railway, and the only place they could select would be on the east side; and if we were going to restrict them in this way we should simply make them chuck up the scheme altogether. He moved that progress be reported, and leave given to sit again.

MR. SHOLL thought the whole discussion was irregular, and contrary to their standing orders. The plan now on the table represented another route altogether from the one they were discussing.

Progress reported, and leave given to sit again.

MESSAGE (No. 20): CONSTITUTION BILL.

THE SPEAKER announced the receipt of the following Message from His Excellency the Governor:

"Referring to Message No. 19, of the 17th instant, the Governor has the honor to communicate to the Honorable the Legislative Council the following further telegraphic correspondence with the Right Honorable the Secre-

"tary of State respecting the Constitution Bill:—

Governor to Secretary of State.

"Perth, 18th April, 1889.

"If you agree add to Act of Parliament clause ensuring validity of regulations mentioned in your despatch 30th July last year, paragraph five, it may facilitate matters.

Secretary of State to Governor.

"London, 23rd April, 1889.

"Referring to your telegram of 18th April, will insert clause.

"It will be seen that Lord Knutsford proposes to obtain parliamentary authority for the Regulations by which it is intended to transfer to the Government and Legislature of the Colony the complete control of Crown lands south of latitude 26.

"Government House, 25th April, 1889."

The House adjourned at five o'clock, p.m.

LEGISLATIVE COUNCIL,

Friday, 26th April, 1889.

Messages (Nos. 18 and 19): Constitution Bill amendments; adjourned debate — Message (No. 15): Transfer of W.A. Timber Company's concessions; adjourned debate—Leave of absence for Mr. Shenton and Mr. Keane—Experimental Farms on Agricultural Areas—Reserves for travelling Stock—Adjournment.

THE SPEAKER took the Chair at seven o'clock, p.m.

PRAYERS.

CONSTITUTION BILL: MESSAGES
Nos. 18 AND 19.

ADJOURNED DEBATE.

THE SPEAKER: The debate was adjourned on the question that in Clause 69 of the Bill the sum of £9,850 be inserted in lieu of £8,400, as the amount of the Civil List.

MR. RASON: I think I am right in stating that we adjourned this debate in order to afford His Excellency further

time to communicate with the Secretary of State, if he deemed it necessary to do so, as regards the control of the lands, so as to avoid what appeared to be something like a deadlock in the final passage of the Constitution Bill. It appears from the Message sent down to the House yesterday that His Excellency has been able to obtain a promise from the Secretary of State, which, in my humble opinion, will go far to remove any difficulty that has hitherto existed, or any doubt which has hitherto existed, as to the intentions of the Secretary of State, as to the validity of the control which it is proposed to give this colony over the Crown lands. We have now what we never have had before, a distinct promise to the effect that provision will be made for obtaining parliamentary authority for the transfer of the control of the lands from the Secretary of State to the Legislature here. Therefore, sir, having now obtained this promise I think it would be unwise on the part of members to fight this question any further. I think it would be advisable probably in the interest of the colony for this House to give way upon the other points with regard to which we have hitherto thought it necessary to fight, pending the satisfactory settlement of this land question. We must all of us be aware that the period of transition, of which we have heard so much in the course of this debate, is a period that is doing the colony a great deal of harm, and we must all feel that the shorter the time that takes place between the present period of stagnation and the introduction of Responsible Government, the better it will be for us all. I do not intend to take up the time of the House at this stage in further discussing these points, especially as I understand that another hon. member intends to speak at considerable length and he has been good enough to favor me with some of his views, which I will now leave for him to explain to the House, as I have no doubt he will do.

SIR T. COCKBURN-CAMPBELL: I understand that the House is now considering His Excellency's Messages 18 and 19, suggesting certain amendments in the Constitution Bill in regard to the lands, the Civil List, and the pensions, but that the question immediately before